



RE: In-trench treatment for Trench 31 and 34 📎

Dave Bartus to: Skinnarland, Ron (ECY)

01/19/2012 10:37 AM

Adam Baron, Andrew Boyd, "Fitz, Andy (ATG)", "Prignano, Andrea
Cc: (ECY)", David Einan, Dennis Faulk, "Singleton, Deborah (ECY)",
"Eberlein, Elis (ECY)", Jack Boller, "Hedges, Jane (ECY)", "Overton,

Thanks for the feedback, Ron. I'll look forward to our discussions.

Dave

"Skinnarland, Ron (ECY)"

Dave: Thanks for bringing this issue up....

01/19/2012 08:50:32 AM

From: "Skinnarland, Ron (ECY)" <RSKI461@ECY.WA.GOV>
To: Dave Bartus/R10/USEPA/US@EPA, Dennis Faulk/R10/USEPA/US@EPA
Cc: Andrew Boyd/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Adam
Baron/R10/USEPA/US@EPA, Jack Boller/R10/USEPA/US@EPA, David
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Andy (ATG)" <AndyF@ATG.WA.GOV>
Date: 01/19/2012 08:50 AM
Subject: RE: In-trench treatment for Trench 31 and 34

Dave: Thanks for bringing this issue up. It definitely needs to be resolved asap.

These issues are complicated, involve many parties and have real consequences for the Hanford cleanup.

In addition to the issues you raised, application your interpretation of the rules and the NEIC inspection potentially creates other unintended consequences for continued progress of the actual cleanup at Hanford, including:

- 1) Different requirements and handling methods for treating and disposing of similar waste streams at the RCRA permitted mixed waste trenches versus the CERCLA authorized requirements at ERDF.
- 2) Compliance investigations that focus only on RCRA facilities at Hanford without reviewing similar issues and CERCLA sites at Hanford. Potentially resulting in inconsistent compliance direction to similar activities in the cleanup.
- 3) Potential delays in waste treatment and cleanup progress, and increased risks to workers and the cost of cleanup while the RCRA and CERCLA organizations at Region X and Ecology's Nuclear Waste programs remain divided on the best way to interpret and apply the appropriate regulatory requirements consistently.

Stepping off my soapbox, let's get started.

Can you (EPA RCRA Region X) talk to Dennis and Dave Einan about the issues to develop a strategy to review and resolve these issues with us all together. I think our shared goal is a clear, unified and comprehensive regulatory approach to waste management, treatment and disposal at Hanford.

We would like to start with working together with both EPA houses as soon as

you are ready.

Thanks again Dave for teeing this up.

I look forward to talking in person when you are over here next week.

Ron

From: Dave Bartus [Bartus.Dave@epamail.epa.gov]
Sent: Wednesday, January 18, 2012 6:59 PM
To: Skinnarland, Ron (ECY)
Cc: Andrew Boyd; Rick Albright; Adam Baron; Boller, Jack
Subject: In-trench treatment for Trench 31 and 34

Ron:

I was taking a brief look at the SharePoint-posted permit conditions for Trench 31 and 34 this evening, and have identified a very significant show-stopper for EPA. The specific issue is the so-called "in trench treatment," which is a provision under which wastes subject to LDR treatment standards are placed in a disposal unit prior to meeting LDR treatment standards, with treatment being conducted following placement of untreated waste in the disposal unit. In particular, I note the following permit condition:

The Permittees are authorized to treat mixed waste at 218-W-5 (Trenches 31 & 34) via macroencapsulation [40 CFR 268 Table 1 for Hazardous Debris and MACRO in 40 CFR 268.42] to meet LDR requirements of WAC 173-303-140, incorporated by reference, and in accordance with the description in Addendum C.

As I'm sure you are aware, this issue has been discussed numerous times with you and your staff, including written comments provided to Debora Singleton. I expect that you are also aware that this is a significant issue that was examined by NEIC inspectors in March of last year. EPA's consistent written and verbal input to you and your staff has been that the practice of in-trench treatment does not reflect compliance with Ecology's authorized program requirements, which clearly state that waste must satisfy LDR treatment standards prior to placement in a land disposal unit.

I would like to schedule a meeting with you and anyone else that you feel appropriate to resolve this issue. My intention is to provide RCR-format comments on this chapter of the permit, but I feel that it is important to "tee up" this issue as soon as possible, given the issue's lengthy history.

I would like to be true our discussions today to have informal discussions with the Nuclear Waste Program prior to formal written communications at a management level, but given the lengthy history of this issue, and the numerous instances where EPA has clearly stated that this practice is not consistent with Ecology's authorized program, my feeling is that we are very near, if not past, the point where a formal written communication may be warranted. I'm hoping we can reach a documented agreement on how to resolve this issue next week.

Dave

